

808 KAR 9:020. Establishment of examination fees.

RELATES TO: KRS 286.9-090(1), (2)

STATUTORY AUTHORITY: KRS 286.9-090(1), (2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 286.9-090(1) authorizes the office to promulgate an administrative regulation to enforce KRS 286.9-010 to 286.9-120. KRS 286.9-090(2) authorizes the office to examine the business, books, and records of a licensee to ensure compliance with KRS 286.9-010 to 286.9-120 and to establish a fee for the examinations. This administrative regulation establishes the requirements for compliance examinations and the examination fee.

Section 1. Definition. "Reasonable cause" means:

- (1) The office has received a written complaint that alleges that the licensee has violated, or is about to violate, KRS 286.9-010 to 286.9-120; or
- (2) A office employee has observed conduct or other evidence that a violation of KRS 286.9-010 to 286.9-120 may have occurred or is about to occur.

Section 2. The department shall examine the business, books, and records of each licensee:

- (1) At least once every twelve (12) months; or
- (2) As soon as the office has reasonable cause to believe that a violation of KRS 286.9-010 to 286.9-120 has occurred, or is about to occur.

Section 3. The examination fee shall be forty-two (42) dollars per hour.

Section 4. (1) A licensee shall pay the examination fee established in Section 3 of this administrative regulation within thirty (30) days of the date of billing. The date of billing shall be the date the bill was deposited in the mailroom at the department for delivery through the United States Mail.

(2) If the fee is not paid within the thirty (30) day time period, the office shall send the licensee a notice of failure to pay the examination fee and demand for immediate payment.

(3) If the licensee does not pay the examination fee within thirty (30) days from the date of receipt of the notice of failure to pay the examination fee and demand for immediate payment, the licensee shall be:

- (a) Subject to the penalties established in KRS 286.9-110; and
- (b) Remain liable for the payment of all owed examination fees. (27 Ky.R. 1708; Am. 2788; eff. 4-9-2001; TAm eff. 5-2-2007.)